

BEFORE THE
BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke
Probation Against:

Case No. D1-2009-1335

DENNIS BLACK
1016 South Stoneacre Avenue
Compton, CA 90221

Licensed Clinical Social Worker License No.
LCS 21896

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Behavioral Sciences, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on April 12, 2012.

It is so ORDERED March 13, 2012.



FOR THE BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 GEOFFREY WARD
Deputy Attorney General
4 State Bar No. 246437
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2660
6 Facsimile: (213) 897-2804
E-mail: Geoffrey.Ward@doj.ca.gov
7 Attorneys for Complainant

8 BEFORE THE
9 BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the Petition to Revoke
Probation Against:

Case No. D1-2009-1335

12 DENNIS BLACK
13 1016 South Stoneacre Avenue
Compton, CA 90221

STIPULATED SURRENDER OF
LICENSE AND ORDER

14
15 Licensed Clinical Social Worker License No.
LCS 21896

16 Respondent.
17

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
19 proceeding that the following matters are true:
20

21 PARTIES

22 1. Kim Madsen (Complainant) is the Executive Officer of the Board of Behavioral
23 Sciences. She brought this action solely in her official capacity and is represented in this matter
24 by Kamala D. Harris, Attorney General of the State of California, by Geoffrey Ward, Deputy
Attorney General.

25 2. Dennis Black (Respondent) is representing himself in this proceeding and has chosen
26 not to exercise his right to be represented by counsel.

27 3. Petition to Revoke Probation No. D1-2009-1335 was filed before the Board of
28 Behavioral Sciences (Board), Department of Consumer Affairs, and is currently pending against

1 Respondent. The Petition to Revoke Probation and all other statutorily required documents were
2 properly served on Respondent on November 8, 2011. A copy of the Petition to Revoke
3 Probation No. D1-2009-1335 is attached as Exhibit A and incorporated by reference.

4 ADVISEMENT AND WAIVERS

5 4. Respondent has carefully read, and understands the charges and allegations in Petition
6 to Revoke Probation No. D1-2009-1335. Respondent also has carefully read, and understands the
7 effects of this Stipulated Surrender of License and Order.

8 5. Respondent is fully aware of his legal rights in this matter, including the right to a
9 hearing on the charges and allegations in the Petition to Revoke Probation; the right to be
10 represented by counsel, at his own expense; the right to confront and cross-examine the witnesses
11 against him; the right to present evidence and to testify on his own behalf; the right to the
12 issuance of subpoenas to compel the attendance of witnesses and the production of documents;
13 the right to reconsideration and court review of an adverse decision; and all other rights accorded
14 by the California Administrative Procedure Act and other applicable laws.

15 6. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
16 every right set forth above.

17 CULPABILITY

18 7. Respondent admits the truth of each and every charge and allegation in Petition to
19 Revoke Probation No. D1-2009-1335, agrees that cause exists for discipline and hereby
20 surrenders his Licensed Clinical Social Worker License No. LCS 21896 for the Board's formal
21 acceptance.

22 8. Respondent understands that by signing this stipulation he enables the Board to issue
23 an order accepting the surrender of his Licensed Clinical Social Worker License without further
24 process.

25 CONTINGENCY

26 9. This stipulation shall be subject to approval by the Board of Behavioral Sciences.
27 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
28 Behavioral Sciences may communicate directly with the Board regarding this stipulation and

1 surrender, without notice to or participation by Respondent. By signing the stipulation,
2 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the
3 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
4 stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of
5 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
6 the parties, and the Board shall not be disqualified from further action by having considered this
7 matter.

8 10. The parties understand and agree that facsimile copies of this Stipulated Surrender of
9 License and Order, including facsimile signatures thereto, shall have the same force and effect as
10 the originals.

11 11. This Stipulated Surrender of License and Order is intended by the parties to be an
12 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
13 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
14 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
15 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
16 executed by an authorized representative of each of the parties.

17 12. In consideration of the foregoing admissions and stipulations, the parties agree that
18 the Board may, without further notice or formal proceeding, issue and enter the following Order:

19 **ORDER**

20 IT IS HEREBY AGREED and ORDERED that Licensed Clinical Social Worker License
21 No. LCS 21896, issued to Respondent Dennis Black, is surrendered and accepted by the Board of
22 Behavioral Sciences.

23 1. The surrender of Respondent's Licensed Clinical Social Worker License and the
24 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
25 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
26 of Respondent's license history with the Board of Behavioral Sciences.

27 2. Respondent shall lose all rights and privileges as a Licensed Clinical Social Worker
28 in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his wall and current renewal certificate on or before the effective date of the Decision and Order.

4. Respondent shall not apply for licensure for three years from the effective date of the Board's Decision and Order.

5. Respondent understands that should he ever reapply for licensure as a Licensed Clinical Social Worker, Marriage and Family Therapist, or any other registration or license issued by the Board or the Board of Psychology, all of the charges alleged in Accusation No. LC-2009-1335 and Petition to Revoke Probation No. D1-2009-1335 shall be deemed admitted for the purpose of any Statement of Issues or other proceeding seeking to deny such application or reapplication.

6. Respondent further understands and agrees that the Board's adoption of his license surrender precludes him from petitioning the Board for reinstatement of the surrendered license.

7. Should Reespondent at any time after this surrender reapply to the Board for licensure, he must meet all current requirements for licensure including, but not limited to, filing a current application, meeting all current educational requirements, and taking and passing any and all examinations required of new applicants.

8. Prior to the issuance of a new license, Respondent shall pay the Board the unpaid balance of \$7,927.50 as and for the reasonable costs of the investigation and prosecution of Case No. LC-2009-13 pursuant to Business and Professions Code section 125. 3.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Licensed Clinical Social Worker License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral Sciences.

DATED:

02/08/12

DENNIS BLACK
Respondent

ENDORSEMENT

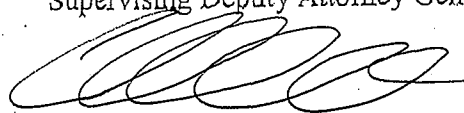
The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Behavioral Sciences of the Department of Consumer Affairs.

Dated:

2/9/12

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
KAREN B. CHAPPELLE
Supervising Deputy Attorney General



GEOFFREY WARD
Deputy Attorney General
Attorneys for Complainant

LA2011601487
60687610.doc

Exhibit A

Petition to Revoke Probation No. D1-2009-1335

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 GEOFFREY WARD
Deputy Attorney General
4 State Bar No. 246437
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2660
6 Facsimile: (213) 897-2804
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF BEHAVIORAL SCIENCES
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Petition to Revoke
11 Probation Against:

Case No. D1-2009-1335

12 **DENNIS BLACK**
13 **1016 South Stoneacre Avenue**
Compton, CA 90221

PETITION TO REVOKE PROBATION

14 **Licensed Clinical Social Worker License No.**
15 **LCS 21896**

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Kim Madsen (Complainant) brings this Petition to Revoke Probation solely in her
20 official capacity as the Executive Officer of the Board of Behavioral Sciences, Department of
21 Consumer Affairs.

22 2. On or about May 21, 2004, the Board of Behavioral Sciences issued Licensed
23 Clinical Social Worker License Number LCS 21896 to Dennis Black (Respondent). The
24 Licensed Clinical Social Worker License was in effect at all times relevant to the charges brought
25 herein and will expire on December 31, 2011, unless renewed.

26 **JURISDICTION**

27 3. This Petition to Revoke Probation is brought before the Board of Behavioral Sciences
28 (Board), Department of Consumer Affairs.

4. In a disciplinary action entitled "In the Matter of Accusation Against Dennis Black," Case No. LC-2009-1335, the Board of Behavioral Sciences, issued a decision, effective April 10, 2011, in which Respondent's Licensed Clinical Social Worker License was revoked. However, the revocation was stayed and Respondent's Licensed Clinical Social Worker License was placed on probation for a period of five (5) years with certain terms and conditions. A copy of that decision is attached as Exhibit A and is incorporated by reference.

CONTROLLED SUBSTANCES

5. Section 11032 of the Health and Safety Code provides, in pertinent part, that the term "narcotics" means controlled substances classified in Schedule I or II as defined in section 11054 or 11055 of that code.

6. Methamphetamine is a narcotic listed as a Schedule II controlled substance under Health and Safety Code section 11055(d)(2).

PETITION TO REVOKE PROBATION

7. Grounds exist for revoking probation and imposing an order of revocation of Respondent's Licensed Clinical Social Worker License No. LCS 21896. Condition 19 of the Board's April 10, 2011 decision states the Board may revoke Respondent's license for failing to comply with the terms and conditions of his five-year probation:

“Violation of Probation. If Respondent violates the conditions of his probation, the Board, after giving Respondent notice and the opportunity to be heard, may set aside the stay order and impose the discipline of revocation of Respondent's license provided in the decision.

If during the period of probation, an accusation, petition to revoke probation, or statement of issues has been filed against Respondent's license or application for licensure, or the Attorney General's office has been requested to prepare such an accusation, petition to revoke probation, or statement of issues, the probation period set forth in this decision shall be automatically extended and shall not expire until the accusation, petition to revoke probation, or statement of issues has been acted upon by the board. Upon successful completion of probation, Respondent's license shall be fully restored."

///

///

///

///

1 8. Respondent has violated a condition of his probation, as set forth in the following
2 paragraphs:

3 **CAUSE TO REVOKE PROBATION**

4 **(Failure to Abstain from Controlled Substances and Confirmed Positive Drug Test)**

5 9. Respondent violated Condition 6 of his probation by failing to abstain from controlled
6 substances when, at a random screening on June 14, 2011, he had a confirmed positive test
7 finding that he had used methamphetamine. At all times relevant herein, Condition 6 of his
8 probation stated that while on probation

9 “Respondent shall completely abstain from the use or possession of
10 controlled or illegal substances unless lawfully prescribed by a medical practitioner
for a bona fide illness.

11 Respondent shall immediately submit to biological fluid testing, at
12 Respondent's cost, upon request by the Board or its designee. The length of time and
13 frequency will be determined by the Board. Respondent is responsible for ensuring
14 that reports are submitted directly by the testing agency to the Board or its designee.
There will be no confidentiality in test results. Any confirmed positive finding will be
immediately reported to Respondent's current employer and shall be a violation of
probation.”

15 10. Respondent's probation is subject to revocation because he failed to comply this
16 condition. His positive test for methamphetamine, a controlled and illegal substance, indicates he
17 used methamphetamines. The confirmed positive test finding is also itself a violation of
18 Respondent's probation.

19 **PRAYER**

20 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
21 and that following the hearing, the Board of Behavioral Sciences issue a decision:

22 1. Revoking the probation that was granted by the Board of Behavioral Sciences in Case
23 No. LC-2009-1335 and imposing the disciplinary order that was stayed thereby revoking
24 Licensed Clinical Social Worker License No. LCS 21896 issued to Dennis Black;

25 2. Revoking or suspending Licensed Clinical Social Worker License No. LCS 21896,
26 issued to Dennis Black; and

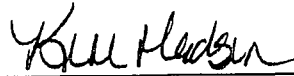
27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3. Taking such other and further action as deemed necessary and proper.

DATED: October 19, 2011



KIM MADSEN
Executive Officer
Board of Behavioral Sciences
Department of Consumer Affairs
State of California
Complainant

LA2011601487
60687522_2.doc

Exhibit A

Decision and Order

Board of Behavioral Sciences Case No. D1-2009-1335

BEFORE THE
BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

DENNIS BLACK

1016 S. Stoneacre Ave.
Compton, CA 90221

Licensed Clinical Social Worker License No.
LCS 21896

Respondent.

Case No. LC-2009-1335

OAH No. L-2010071127

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Behavioral Sciences, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on April 10, 2011.

It is so ORDERED March 11, 2011.



FOR THE BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS

1 EDMUND G. BROWN JR.
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 GEOFFREY WARD
Deputy Attorney General
4 State Bar No. 246437
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2660
6 Facsimile: (213) 897-2804
Attorneys for Complainant

7
8 BEFORE THE
BOARD OF BEHAVIORAL SCIENCES
9 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. LC-2009-1335

11 DENNIS BLACK

OAH No. L-2010071127

12 1016 S. Stoneacre Ave.
13 Compton, CA 90221

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

14 Licensed Clinical Social Worker
15 License No. LCS 21896

16 Respondent.

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 PARTIES

20 1. Kim Madsen (Complainant) is the Executive Officer of the Board of Behavioral
21 Sciences. She brought this action solely in her official capacity and is represented in this matter
22 by Edmund G. Brown Jr., Attorney General of the State of California, by Geoffrey Ward, Deputy
23 Attorney General.

24 2. Respondent Dennis Black (Respondent) is representing himself in this proceeding and
25 has chosen not to exercise his right to be represented by counsel.

26 3. On or about May 21, 2004, the Board of Behavioral Sciences issued Licensed
27 Clinical Social Worker License No. LCS 21896 to Dennis Black. The Licensed Clinical Social
28

1 Worker License was in full force and effect at all times relevant to the charges brought in
2 Accusation No. LC-2009-1335 and will expire on December 31, 2011, unless renewed.

3 JURISDICTION

4 4. Accusation No. LC-2009-1335 was filed before the Board of Behavioral Sciences
5 (Board), Department of Consumer Affairs, and is currently pending against Respondent. The
6 Accusation and all other statutorily required documents were properly served on Respondent on
7 March 30, 2010. Respondent timely filed his Notice of Defense contesting the Accusation. A
8 copy of Accusation No. LC-2009-1335 is attached as exhibit A and incorporated herein by
9 reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, and understands the charges and allegations in
12 Accusation No. LC-2009-1335. Respondent has also carefully read, and understands the effects
13 of this Stipulated Settlement and Disciplinary Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the right to a
15 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
16 his own expense; the right to confront and cross-examine the witnesses against him; the right to
17 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
18 the attendance of witnesses and the production of documents; the right to reconsideration and
19 court review of an adverse decision; and all other rights accorded by the California
20 Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
22 every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in Accusation
25 No. LC-2009-1335.

26 9. Respondent agrees that his Licensed Clinical Social Worker License is subject to
27 discipline and he agrees to be bound by the Board of Behavioral Sciences's probationary terms as
28 set forth in the Disciplinary Order below.

1

2

4

5

11

1

1

1 14. In consideration of the foregoing admissions and stipulations, the parties agree that
2 the Board may, without further notice or formal proceeding, issue and enter the following
3 Disciplinary Order:

4 DISCIPLINARY ORDER

5 IT IS HEREBY ORDERED that Licensed Clinical Social Worker License No. LCS 21896
6 issued to Respondent Dennis Black is revoked. However, the revocation is stayed and
7 Respondent is placed on probation for five (5) years on the following terms and conditions.

8 1. Actual Suspension. Commencing from the effective date of this decision,
9 Respondent shall be suspended from the practice of licensed clinical social work for a period of
10 60 days.

11 2. Psychological Evaluation. Within 90 days of the effective date of this decision, and
12 on a periodic basis thereafter as may be required by the Board or its designee, Respondent shall
13 complete a psychological or psychiatric evaluation by such licensed psychologists or psychiatrists
14 as are appointed by the Board. The cost of such evaluation shall be borne by Respondent.
15 Failure to pay for the report in a timely fashion constitutes a violation of probation.

16 Such evaluator shall furnish a written report to the Board or its designee regarding
17 Respondent's judgment and ability to function independently and safely as a counselor and such
18 other information as the Board may require. Respondent shall execute a Release of Information
19 authorizing the evaluator to release all information to the Board. Respondent shall comply with
20 the recommendations of the evaluator.

21 If Respondent is determined to be unable to practice independently and safely, upon
22 notification, Respondent shall immediately cease practice and shall not resume practice until
23 notified by the Board or its designee. Respondent shall not engage in any practice for which a
24 license issued by the Board is required, until the Board or its designee has notified the
25 Respondent of its determination that Respondent may resume practice.

26 3. Psychotherapy. Respondent shall participate in ongoing psychotherapy with a
27 California licensed mental health professional who has been approved by the Board. Within 60
28 days of the effective date of this decision, Respondent shall submit to the Board or its designee

1 for its prior approval the name and qualifications of one or more therapists of Respondent's
2 choice. Such therapist shall possess a valid California license to practice and shall have had no
3 prior business, professional, or personal relationship with Respondent, and shall not be the
4 Respondent's supervisor. Counseling shall be at least once a week unless otherwise determined
5 by the Board. Respondent shall continue in such therapy at the Board's discretion. Cost of such
6 therapy is to be borne by Respondent.

7 Respondent may, after receiving the Board's written permission, receive therapy via
8 videoconferencing if Respondent's good faith attempts to secure face-to-face counseling are
9 unsuccessful due to the unavailability of qualified mental health care professionals in the area.
10 The Board may require that Respondent provide written documentation of his or her good faith
11 attempts to secure counseling via videoconferencing.

12 Respondent shall provide the therapist with a copy of the Board's decision no later than the
13 first counseling session. Upon approval by the Board, Respondent shall undergo and continue
14 treatment until the Board or its designee determines that no further psychotherapy is necessary.

15 Respondent shall take all necessary steps to ensure that the treating psychotherapist submits
16 quarterly written reports to the Board concerning Respondent's fitness to practice, progress in
17 treatment, and to provide such other information as may be required by the Board. Respondent
18 shall execute a Release of Information authorizing the therapist to divulge information to the
19 Board.

20 If the treating psychotherapist finds that Respondent cannot practice safely or
21 independently, the psychotherapist shall notify the Board within three (3) working days. Upon
22 notification by the Board, Respondent shall immediately cease practice and shall not resume
23 practice until notified by the Board or its designee that Respondent may do so. Respondent shall
24 not thereafter engage in any practice for which a license issued by the Board is required until the
25 Board or its designee has notified Respondent that he/she may resume practice. Respondent shall
26 document compliance with this condition in the manner required by the Board.

27 4. Supervised Practice. Within 30 days of the effective date of this decision,
28 Respondent shall submit to the Board or its designee, for its prior approval, the name and

1 qualification of one or more proposed supervisors and a plan by each supervisor. The supervisor
2 shall be a current California licensed practitioner in Respondent's field of practice, who shall
3 submit written reports to the Board or its designee on a quarterly basis verifying that supervision
4 has taken place as required and including an evaluation of Respondent's performance. The
5 supervisor shall be independent, with no prior business, professional or personal relationship with
6 Respondent.

7 If Respondent is unable to secure a supervisor in his or her field of practice due to the
8 unavailability of mental health care professionals in the area, then the Board may consider the
9 following options for satisfying this probationary term:

10 (1) Permitting the Respondent to receive supervision via videoconferencing; or,

11 (2) Permitting Respondent to secure a supervisor not in the Respondent's field of practice.

12 The forgoing options shall be considered and exhausted by the Board in the order listed
13 above. The Board may require that Respondent provide written documentation of his or her good
14 faith attempts to secure face-to-face supervision, supervision via videoconferencing or to locate a
15 mental health professional that is licensed in the Respondent's field of practice.

16 Failure to file the required reports in a timely fashion shall be a violation of probation.
17 Respondent shall give the supervisor access to Respondent's fiscal and client records. Supervision
18 obtained from a probation supervisor shall not be used as experience gained toward licensure.

19 If the supervisor is no longer available, Respondent shall notify the Board within 15 days
20 and shall not practice until a new supervisor has been approved by the Board. All costs of the
21 supervision shall be borne by Respondent. Supervision shall consist of at least one (1) hour per
22 week in individual face to face meetings. The supervisor shall not be the Respondent's therapist.

23 5. Education. Respondent shall take and successfully complete the equivalency of 3
24 semester units in the area of chemical dependency. All course work shall be taken at the graduate
25 level at an accredited or approved educational institution that offers a qualifying degree for
26 licensure as a marriage and family therapist, clinical social worker or educational psychologist, or
27 through a course approved by the Board. Classroom attendance must be specifically required.
28 Course content shall be pertinent to the violation and all course work must be completed within

1 one year from the effective date of this Decision.

2 Within 90 days of the effective date of the decision Respondent shall submit a plan for prior
3 Board approval for meeting these educational requirements. All costs of the course work shall be
4 paid by the Respondent. Units obtained for an approved course shall not be used for continuing
5 education units required for renewal of licensure.

6 6. Abstain from Controlled Substances / Submit to Biological Fluid Testing and
7 Samples. Respondent shall completely abstain from the use or possession of controlled or illegal
8 substances unless lawfully prescribed by a medical practitioner for a bona fide illness.

9 Respondent shall immediately submit to biological fluid testing, at Respondent's cost, upon
10 request by the Board or its designee. The length of time and frequency will be determined by the
11 Board. Respondent is responsible for ensuring that reports are submitted directly by the testing
12 agency to the Board or its designee. There will be no confidentiality in test results. Any
13 confirmed positive finding will be immediately reported to Respondent's current employer and
14 shall be a violation of probation.

15 7. Participation in Recovery Program for Chemical Dependence. Twice a week
16 Respondent shall attend 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous,
17 Alcoholics Anonymous, etc.) for the period of probation. Respondent shall submit dated and
18 signed documentation confirming such attendance to the Board on a quarterly basis.

19 8. Reimbursement of Probation Program. Respondent shall reimburse the Board for
20 the hourly costs it incurs in monitoring the probation to ensure compliance for the duration of the
21 probation period. These reimbursement costs shall be \$1,200.00 per year.

22 9. Obey All Laws. Respondent shall obey all federal, state and local laws, all statutes
23 and regulations governing the licensee, and remain in full compliance with any court ordered
24 criminal probation, payments and other orders. A full and detailed account of any and all
25 violations of law shall be reported by the Respondent to the Board or its designee in writing
26 within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this term,
27 Respondent shall submit fingerprints through the Department of Justice and Federal Bureau of
28 Investigation within 30 days of the effective date of the decision, unless previously submitted as

1 part of the licensure application process. Respondent shall pay the cost associated with the
2 fingerprint process.

3 10. **File Quarterly Reports.** Respondent shall submit quarterly reports, to the Board or
4 its designee, as scheduled on the "Quarterly Report Form" (rev. 01/12/01). Respondent shall state
5 under penalty of perjury whether he has been in compliance with all the conditions of probation.
6 Notwithstanding any provision for tolling of requirements of probation, during the cessation of
7 practice Respondent shall continue to submit quarterly reports under penalty of perjury.

8 11. **Comply with Probation Program.** Respondent shall comply with the probation
9 program established by the Board and cooperate with representatives of the Board in its
10 monitoring and investigation of the Respondent's compliance with the program.

11 12. **Interviews with the Board.** Respondent shall appear in person for interviews with
12 the Board or its designee upon request at various intervals and with reasonable notice.

13 13. **Residing or Practicing Out of State.** In the event Respondent should leave the
14 State of California to reside or to practice, Respondent shall notify the Board or its designee in
15 writing 30 calendar days prior to the dates of departure and return. Non-practice is defined as any
16 period of time exceeding thirty calendar days in which Respondent is not engaging in any
17 activities defined in Sections 4980.02, 4989.14 or 4996.9 of the Business and Professions Code.

18 All time spent in an intensive training program outside the State of California which has
19 been approved by the Board or its designee shall be considered as time spent in practice within
20 the State. A Board-ordered suspension of practice shall not be considered as a period of non-
21 practice. Periods of temporary or permanent residence or practice outside California will not
22 apply to the reduction of the probationary term. Periods of temporary or permanent residence or
23 practice outside California will relieve Respondent of the responsibility to comply with the
24 probationary terms and conditions with the exception of this condition and the following terms
25 and conditions of probation: Obey All Laws and Probation Unit Compliance.

26 Respondent's license shall be automatically cancelled if Respondent's periods of temporary
27 or permanent residence or practice outside California total two years. However, Respondent's
28 license shall not be cancelled as long as Respondent is residing and practicing in another state of

1 the United States and is on active probation with the licensing authority of that state, in which
2 case the two year period shall begin on the date probation is completed or terminated in that state.

3 14. **Failure to Practice - California Resident.** In the event Respondent resides in the
4 State of California and for any reason Respondent stops practicing in California, Respondent shall
5 notify the Board or its designee in writing within 30 calendar days prior to the dates of non-
6 practice and return to practice. Any period of non-practice within California, as defined in this
7 condition, will not apply to the reduction of the probationary term and does not relieve
8 Respondent of the responsibility to comply with the terms and conditions of probation. Non-
9 practice is defined as any period of time exceeding thirty calendar days in which Respondent is
10 not engaging in any activities defined in Sections 4980.02, 4989.14 or 4996.9 of the Business and
11 Professions Code.

12 15. **Change of Place of Employment or Place of Residence.** Respondent shall notify
13 the Board or its designee in writing within 30 days of any change of place of employment or
14 place of residence. The written notice shall include the address, the telephone number and the
15 date of the change.

16 16. **Supervision of Unlicensed Persons.** While on probation, Respondent shall not act
17 as a supervisor for any hours of supervised practice required for any license issued by the Board.
18 Respondent shall terminate any such supervisorial relationship in existence on the effective date
19 of this Decision.

20 17. **Notification to Clients.** Respondent shall notify all clients when any term or
21 condition of probation will affect their therapy or the confidentiality of their records, including
22 but not limited to supervised practice or suspension. Such notification shall be signed by each
23 client prior to continuing or commencing treatment. Respondent shall submit, upon request by
24 the Board or its designee, satisfactory evidence of compliance with this term of probation.

25 18. **Notification to Employer.** Respondent shall provide each of his current or future
26 employers, when performing services that fall within the scope of his practice, a copy of this
27 Decision and the Statement of Issues or Accusation before commencing employment.

28 Notification to the Respondent's current employer shall occur no later than the effective date of

1 the Decision or immediately commencing employment. Respondent shall submit, upon request
2 by the Board or its designee, satisfactory evidence of compliance with this term of probation.

3 19. Violation of Probation. If Respondent violates the conditions of his probation, the
4 Board, after giving Respondent notice and the opportunity to be heard, may set aside the stay
5 order and impose the discipline of revocation of Respondent's license provided in the decision.

6 If during the period of probation, an accusation, petition to revoke probation, or statement
7 of issues has been filed against Respondent's license or application for licensure, or the Attorney
8 General's office has been requested to prepare such an accusation, petition to revoke probation, or
9 statement of issues, the probation period set forth in this decision shall be automatically extended
10 and shall not expire until the accusation, petition to revoke probation, or statement of issues has
11 been acted upon by the board. Upon successful completion of probation, Respondent's license
12 shall be fully restored.

13 20. Maintain Valid License. Respondent shall, at all times while on probation, maintain
14 a current and active license with the Board, including any period during which suspension or
15 probation is tolled. Should Respondent's license, by operation of law or otherwise, expire, upon
16 renewal Respondent's license shall be subject to any and all terms of this probation not previously
17 satisfied.

18 21. License Surrender. Following the effective date of this decision, if Respondent
19 ceases practicing due to retirement or health reasons, or is otherwise unable to satisfy the terms
20 and conditions of probation, Respondent may voluntarily surrender his license to the Board. The
21 Board reserves the right to evaluate the Respondent's request and to exercise its discretion
22 whether to grant the request or to take any other action deemed appropriate and reasonable under
23 the circumstances. Upon formal acceptance of the surrender, Respondent shall within 30 calendar
24 days deliver Respondent's license and certificate and if applicable wall certificate to the Board or
25 its designee and Respondent shall no longer engage in any practice for which a license is
26 required. Upon formal acceptance of the tendered license, Respondent will no longer be subject
27 to the terms and conditions of probation.

28 Voluntary surrender of Respondent's license shall be considered to be a disciplinary action

1 and shall become a part of Respondent's license history with the Board. Respondent may not
2 petition the Board for reinstatement of the surrendered license. Should Respondent at any time
3 after voluntary surrender ever reapply to the Board for licensure Respondent must meet all
4 current requirements for licensure including, but not limited to, filing a current application,
5 meeting all current educational requirements, and taking and passing any and all examinations
6 required of new applicants.

7 22. Instruction of Coursework Qualifying for Continuing Education. Respondent
8 shall not be an instructor of any coursework for continuing education credit required by any
9 license issued by the Board.

10 23. Notification to Referral Services. Respondent shall immediately send a copy of this
11 decision to all referral services registered with the Board in which Respondent is a participant.
12 While on probation, Respondent shall send a copy of this decision to all referral services
13 registered with the Board that Respondent seeks to join.

14 24. Cost Recovery. Respondent shall pay the Board \$7,927.50 as and for the reasonable
15 costs of the investigation and prosecution of Case No. LC-2009-1335, which include attorneys'
16 fees. Respondent shall make such payments on a quarterly basis along with his quarterly reports,
17 in the amount of \$440.41 per quarter for 18 quarters. Respondent shall make the check or money
18 order payable to the Board of Behavioral Sciences and shall indicate on the check or money order
19 that it is the cost recovery payment for Case No. LC-2009-1335. Any order for payment of cost
20 recovery shall remain in effect whether or not probation is tolled. Probation shall not terminate
21 until full payment has been made. Should any part of cost recovery not be paid in accordance
22 with the outlined payment schedule, respondent shall be considered to be in violation of
23 probation. A period of non-practice by respondent shall not relieve respondent of his or her
24 obligation to reimburse the board for its costs.

25 Cost recovery must be completed six months prior to the termination of probation. A
26 payment plan authorized by the Board may be extended at the discretion of the Enforcement
27 Manager based on good cause shown by the probationer.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Licensed Clinical Social Worker License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral Sciences.

DATED: 01/04/11 Dennis Black
DENNIS BLACK
Respondent

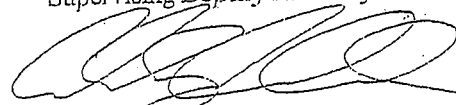
1
2 ENDORSEMENT

3 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
4 submitted for consideration by the Board of Behavioral Sciences of the Department of Consumer
5 Affairs.

6 Dated: 1/5/11

Respectfully Submitted,

7 EDMUND G. BROWN JR.
8 Attorney General of California
9 KAREN B. CHAPPELLE
10 Supervising Deputy Attorney General



11 GEOFFREY WARD
12 Deputy Attorney General
13 *Attorneys for Complainant*

14 LA2009604001
15 60595276_2.docx
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit A

Accusation No. LC-2009-1335

1 EDMUND G. BROWN, JR.
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 KIMBERLEE D. KING
Deputy Attorney General
4 State Bar No. 141813
300 South Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2581
6 Facsimile: (213) 897-2804
Attorneys for Complainant

7
8 BEFORE THE
9 BOARD OF BEHAVIORAL SCIENCES
10 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

11 IN THE MATTER OF THE ACCUSATION
12 AGAINST:

Case No. LC-2009-1335

ACCUSATION

13 DENNIS BLACK
aka DENNIS OWENS BLACK
14 1016 S. Stoneacre Ave.
Compton, CA 90221,
15 Licensed Clinical Social Worker License No.
16 LCS 21896

Respondent.

17
18 Complainant alleges:

19 PARTIES

20 1. Kim Madsen (Complainant) brings this Accusation solely in her official capacity as
21 the Executive Officer of the Board of Behavioral Sciences, Department of Consumer Affairs
22 (Board).

23 2. On or about May 21, 2004, the Board issued Licensed Clinical Social Worker License
24 No. LCS 21896 to Dennis Black aka Dennis Owens Black (Respondent). The license will expire
25 on December 31, 2011, unless renewed.

26 ///

27 ///

1

2

4

5

5

- 10

- 11.

- 12

4

8

3 |

1.

1

1 evidence only of the fact that the conviction occurred. The board may inquire into the
2 circumstances surrounding the commission of the crime in order to fix the degree of discipline or
3 to determine if the conviction is substantially related to the qualifications, functions, or duties of a
4 licensee or registrant under this chapter. A plea or verdict of guilty or a conviction following a
5 plea of nolo contendere made to a charge substantially related to the qualifications, functions, or
6 duties of a licensee or registrant under this chapter is a conviction within the meaning of this
7 section. The board may order any license or registration suspended or revoked, or may decline to
8 issue a license or registration when the time for appeal has elapsed, or the judgment of conviction
9 has been affirmed on appeal, or, when an order granting probation is made suspending the
10 imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code
11 allowing the person to withdraw a plea of guilty and enter a plea of not guilty, or setting aside the
12 verdict of guilty, or dismissing the accusation, information, or indictment.

13

14 "(c) Administering to himself or herself any controlled substance or using any of the
15 dangerous drugs specified in Section 4022 or any alcoholic beverage to the extent, or in a manner,
16 as to be dangerous or injurious to the person applying for a registration or license or holding a
17 registration or license under this chapter, or to any other person, or to the public, or, to the extent
18 that the use impairs the ability of the person applying for or holding a registration or license to
19 conduct with safety to the public the practice authorized by the registration or license, or the
20 conviction of more than one misdemeanor or any felony involving the use, consumption, or self-
21 administration of any of the substances referred to in this subdivision, or any combination thereof.
22 The board shall deny an application for a registration or license or revoke the license or
23 registration of any person who uses or offers to use drugs in the course of performing clinical
24 social work. This provision does not apply to any person also licensed as a physician and surgeon
25 under Chapter 5 (commencing with Section 2000) or the Osteopathic Act who lawfully prescribes
26 drugs to a patient under his or her care.

27

28

"(f) Violating, attempting to violate, or conspiring to violate this chapter or any regulation adopted by the board. . . ."

COST RECOVERY

7. Section 125.3 provides; in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

CONTROLLED SUBSTANCES/ DANGEROUS DRUGS

8. Cocaine, and any cocaine base, is a narcotic drug according to Health and Safety Code section 11019(e). It is a Schedule I controlled substance, as designated in Health and Safety Code section 11054(f)(1), and a Schedule II controlled substance, as designated in Health and Safety Code section 11055(b)(6). It is categorized as a dangerous drug according to Business and Professions Code section 4022.

9. Wellbutrin XL, is a brand name for bupropion, an antidepressant, and a dangerous drug pursuant to Business and Professions Code section 4022.

FIRST CAUSE FOR DISCIPLINE

(Mental or Physical Illness)

10. Respondent's license is subject to disciplinary action pursuant to section 822, subdivision (a), in that Respondent's ability to practice his or her profession safely is impaired because Respondent is mentally ill or physically ill. By his own admission, Respondent is being treated for depression and is taking Wellbutrin XL daily.

SECOND CAUSE FOR DISCIPLINE

(Self-Administration of Controlled Substances)

11. Respondent is subject to disciplinary action under section 4992.3, subdivision (c), on the grounds of unprofessional conduct, in that Respondent used, consumed, or self-administered cocaine, a controlled substance and dangerous drug, without a valid prescription, to the extent, or in a manner, as to be dangerous or injurious to himself, others, or the public, and / or conducted his person without safety to the public. The circumstances of Respondent's actions are as

1 follows:

2 a. On or about April 21, 2009, Respondent plead guilty to one felony count of violating
3 Health and Safety Code section 11350(a) [possession of a controlled substance, to wit, cocaine] in
4 the criminal proceeding entitled *The People of the State of California v. Dennis Black* (Super. Ct.
5 Los Angeles County, 2009, No. SA070965). The Court placed Respondent on deferred entry of
6 judgment.

7 b. The circumstances surrounding the criminal action are that on or about April 11,
8 2009, Respondent, while staying in a room at the Crowne Plaza Hotel, Commerce, California,
9 met a man in an elevator, invited him up to his room and did a line of cocaine. Respondent
10 became panicky, and paranoid, causing the man to leave abruptly. Respondent telephoned the
11 hotel front desk and requested security. He told security that he was having a panic attack. In
12 response, the Los Angeles Fire Department (LAFD) Emergency Medical Technicians (EMT)
13 came to the scene. As they were readying Respondent for transport to the hospital, he became
14 uncooperative and rigid. The LAFD EMTs called Los Angeles Police Department (LAPD)
15 officers, who responded to a call of a "male with mental illness." Respondent admitted to the
16 LAPD officers that he used cocaine from a plastic bag of cocaine, 0.49gg evidence weight, which
17 was lying on the desk in his hotel room.

18 c. On or about May 15, 2009, Respondent plead guilty to one misdemeanor count of
19 violating Health and Safety Code section 11550(a) [under influence of a controlled substance] in
20 the criminal proceeding entitled *The People of the State of California v. Dennis Owens Black*
21 (Super. Ct. Riverside County, 2009, No. INM195398). The Court placed Respondent on deferred
22 entry of judgment.

23 d. The circumstances surrounding the criminal action are that on or about August 2,
24 2008, while at the Inn Exile Resort, Palm Springs, California, Respondent broke the wooden
25 blinds in another guest's room, and was screaming in the pool area. Palm Springs Police
26 Department officers found Respondent sweating profusely, paranoid, and hallucinating.
27 Respondent was unable to focus or comprehend police presence. Respondent was lying on the
28 ground gripping the leg of a coffee table in a room near the pool area. Respondent shouted with

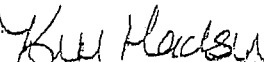
1 rapid speech, and repeated statements: "Don't let them in here to kill me. They are going to
2 shoot me; don't let them shoot me;" "They're going to kill me, I can hear them and see them,
3 don't let them kill me;" and "I'm depressed and want to kill myself." To avoid removal from the
4 property, Respondent violently struggled with the officers. Three (3) officers and two (2)
5 separate taser bursts were required to restrain Respondent before he became calm. The officers
6 observed Respondent exhibit the physical objective signs of CNS (central nervous system)
7 stimulant use. Respondent admitted to the officers that he had used drugs. Respondent's blood
8 was drawn and placed into evidence. The officers placed Respondent on a 72 hour mental health
9 watch, pursuant to Welfare and Institutions Code section 5150.

10 PRAYER

11 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
12 and that following the hearing, the Board of Behavioral Sciences issue a decision:

- 13 1. Revoking, suspending or placing on probation, Licensed Clinical Social Worker
14 License No. LCS 21896, issued to Respondent Dennis Black aka Dennis Owens Black.
- 15 2. Ordering Respondent Dennis Black aka Dennis Owens Black to pay the Board of
16 Behavioral Sciences the reasonable costs of the investigation and enforcement of this case,
17 pursuant to Business and Professions Code section 125.3;
- 18 3. Taking such other and further action as deemed necessary and proper.

19
20 DATED: March 22, 2010

21
22 
23 KIM MADSEN
24 Executive Officer
25 Board of Behavioral Sciences
26 Department of Consumer Affairs
27 State of California
28 Complainant

LA2009604001
60519262.doc